

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**IN RE PHILIPS RECALLED CPAP,
BI-LEVEL PAP, AND MECHANICAL
VENTILATOR PRODUCTS LITIGATION**

Master Docket No. 2:21-MC-1230

MDL No. 3014

This Document Relates to:

Judge Joy Flowers Conti

***Consolidated Second Amended Class Action
Complaint for Medical Monitoring (ECF No.
815)***

and

***Amended Master Long Form Complaint for
Personal Injuries and Damages, and Demand
for Jury Trial (ECF No. 834)***

NOTICE OF SUPPLEMENTAL AUTHORITY

On June 27, 2023, the United States Supreme Court in *Mallory v. Norfolk S. Ry. Co.*, No. 21-1168, 2023 WL 4187749, at *1 (U.S. June 27, 2023), attached hereto as Exhibit 1, ruled on the question of whether the Due Process Clause of the Fourteenth Amendment prohibits a State from requiring an out-of-state corporation to consent to personal jurisdiction to do business there. In so doing, the Supreme Court reaffirmed basic principles regarding personal jurisdiction, some of which are relevant to the issue of specific jurisdiction. *See* Exhibit 1. The issue of specific jurisdiction is addressed on pages 8-14 of Plaintiffs' Brief in Opposition to Defendants Polymer Technologies Inc.'s and Polymer Molded Products, LLC's Motion to Dismiss Plaintiffs' Amended Master Long Form Complaint for Personal Injuries and Damages and Plaintiffs' Consolidated Second Amended Class Action Complaint for Medical Monitoring Pursuant to Federal Rules of Civil Procedure 12(b)(2) and 12(b)(6) (ECF No. 1640).

Dated: July 10, 2023

Respectfully submitted,

/s/ Sandra L. Duggan

Sandra L. Duggan, Esquire
LEVIN SEDRAN & BERMAN LLP
510 Walnut Street, Suite 500
Philadelphia, PA 19106
(215) 592-1500 (phone)
sduggan@lfsblaw.com

/s/ Steven A. Schwartz

Steven A. Schwartz, Esquire
**CHIMICLES SCHWARTZ KRINER &
DONALDSON-SMITH LLP**
361 West Lancaster Avenue
One Haverford Centre
Haverford, PA 19041
(610) 642-8500 (phone)
steveschwartz@chimicles.com

/s/ Christopher A. Seeger

Christopher A. Seeger, Esquire
SEEGER WEISS LLP
55 Challenger Road, 6th Floor
Ridgefield Park, NJ 07660
(973) 639-9100 (phone)
cseeger@seegerweiss.com

/s/ Kelly K. Iverson

Kelly K. Iverson, Esquire
LYNCH CARPENTER, LLP
1133 Penn Avenue, 5th Floor
Pittsburgh, PA 15222
(412) 322-9243 (phone)
kelly@lc LLP.com

Plaintiffs' Co-Lead Counsel

/s/ D. Aaron Rihn

D. Aaron Rihn, Esquire
**ROBERT PEIRCE & ASSOCIATES,
P.C.**
707 Grant Street, Suite 125
Pittsburgh, PA 15219
(412) 281-7229 (phone)
(412) 281-4229 (fax)
arihn@peircelaw.com

/s/ Peter St. Tienne Wolff, Esquire

Peter St. Tienne Wolff, Esquire
**PIETRAGALLO GORDON ALFANO
BOSICK & RASPANTI, LLP**
One Oxford Centre - 38th Floor
Pittsburgh, PA 15219
(412) 263-2000 (phone)
(412) 263-2001 (fax)
psw@pietragallo.com

Plaintiffs' Co-Liaison Counsel

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document with attached exhibits was filed via the Court's CM/ECF system on this 10th day of July 2023 and is available for download by all counsel of record.

/s/ D. Aaron Rihn

D. Aaron Rihn, Esquire

PA I.D. No.: 85752

ROBERT PEIRCE & ASSOCIATES, P.C.

707 Grant Street, Suite 125

Pittsburgh, PA 15219

(412) 281-7229 (phone)

(412) 281-4229 (fax)

arihn@peircelaw.com